

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SALIS ADAMS,

Plaintiff,

v.

LT. JOHNSON, et al.,

Defendants.

Civil Action No. 09-94 Erie

MEMORANDUM ORDER

_____ This civil action was commenced on April 22, 2009 upon receipt by the Clerk of Court of the Plaintiff's motion for preliminary injunction/ motion for temporary restraining. The case was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [3], filed on June 10, 2009, recommends that the instant matter be dismissed for Plaintiff's failure to prosecute. The parties were allowed ten (10) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at SCI Albion, where he is incarcerated. No objections were filed. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 13th day of July, 2009;

IT IS HEREBY ORDERED that instant civil rights action be, and hereby is, DISMISSED for Plaintiff's failure to prosecute.

The Report and Recommendation of Magistrate Judge Baxter [3], dated June 10, 2009, is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN

Sean J. McLaughlin
United States District Judge

cc: all parties of record
U.S. Magistrate Judge Baxter